

Applicant : Robert F. Gazdzinski
 App. No. : 09/817,842
 Filed : March 26, 2001
 For : **ENDOSCOPIC SMART
 PROBE AND METHOD**
 Examiner : Leubecker, John P.
 Group Art Unit: 3739



27299

PATENT, TRADEMARK OFFICE

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 20, 2005

(Date)

[Signature]
 Robert F. Gazdzinski
 Reg. No. 39,990

**MAIL STOP AMENDMENT
 COMMISSIONER FOR PATENTS
 P.O. BOX 1450
 ALEXANDRIA, VA 22313-1450**

Sir:

Transmitted herewith in the above-entitled application are the following:

- (X) Amendment and Response to Restriction Requirement (8 Pages).
- (X) A small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- (X) Return prepaid postcard.

The fee has been calculated as shown below:

CLAIMS AS FILED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	30	MINUS	36	= 0 X	\$ 25	= \$0
Independent Claims	8	MINUS	14	= 0 X	\$100	= \$0
If application has been amended to contain multiple dependent claim(s), then add					\$180	= \$0
(Select only one)				one month	\$ 60	= \$0
Time Extension Fees:				two months	\$225	= \$0
				three months	\$510	= \$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

RFG.006CPI
Appl. No. 09/817,842

PATENT

- (X) No additional fee is required.
- (X) The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required to Deposit Account No. 501423. A duplicate copy of this sheet is enclosed.

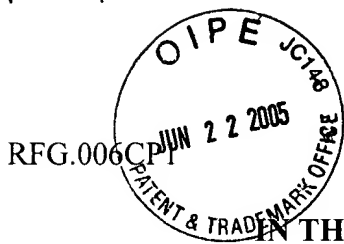
GAZDZINSKI & ASSOCIATES

Dated: _____

6/20/05

By: _____

[Signature]
Robert F. Gazdzinski
Registration No. 39,990
11440 West Bernardo Court, Suite 375
San Diego, CA 92127
Telephone No. (858) 675-1670
Facsimile No. (858) 675-1674



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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5

**AMENDMENT AND RESPONSE TO
RESTRICTION REQUIREMENT**

10

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

15

Dear Sir:

20

In response to the Office Action dated March 18, 2005 ("Office Action"), the following is provided:

Application No. : 09/817,842
Filed : March 26, 2001

RESTRICTION ELECTION

By this paper, Applicant elects without traverse the invention of Group I (Claims 15-26,
5 34-41 and 46-50), drawn to a probe, per Par. 1, Page 2 of the Office Action. Applicant herein
cancels the remaining non-elected claims without prejudice. Applicant submits that all claims
presented herein for examination (including new Claims 51-55) read on the elected (Group I)
invention.

10